Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 1-27 are pending. Claims 1, 15 and 22 are amended. New claim 28 is added. Claims 1-28 are now pending.

Claim Rejections – 35 USC 103

Claims 1-8, 10, 12-15 and 17-22 are rejected under 35 USC 103(a) as obvious over Rivere (US 3,868,936) in view of Coanda (US 2,907,557) and Takeda (US 4,315,491). Claims 23, 24 and 26 are rejected as obvious over Rivere in view of Coanda and Walker (US 3,374,777). Claims 9 and 11 are rejected as obvious over Rivere in view of Coanda and Marsee (US 4,016,845). Claims 25 and 27 are rejected as obvious over Rivere in view of Coanda, Walker and Marsee. Claim 16 is rejected as obvious over Rivere in view of Coanda and Bishop (US 3,050,376).

In response, applicant traverses the rejections. Rivere, Coanda and Takeda each disclose structure corresponding to an intake passage. In particular, intake pipe 2 and cylindrical body 9 of Rivere correspond to an intake passage; conduit 1 of Coanda corresponds to an intake passage; and intake manifold 9 of Takeda corresponds to an intake passage. However, none of these references disclose, in addition to an intake passage, an air cleaner chamber as is also required by claim 1.

Claim 1 is amended to clarify this distinction and the separate requirements of an intake passage and an air cleaner chamber. In particular, claim 1 is amended to recite:

> ...an intake passage projecting into the air cleaner chamber from the outlet and having an opening opened to the air cleaner chamber, the intake passage comprising a throttle valve therein, wherein the air and the fuel in the air cleaner chamber are led to the engine through the intake passage.

Thus, claim 1 as amended clearly defines the intake passage as a structure that has a throttle valve disposed therein and that projects into the outlet of the air cleaner chamber. The air cleaner chamber, in turn, has an inlet and an outlet, wherein the intake passage projects into the outlet as described above, and wherein a filter element is disposed between the inlet and the outlet of the air cleaner chamber.

Intake pipe 2 and cylindrical body 9 of Rivere correspond to applicant's recited intake passage. In this regard, Rivere's FIG. 1 clearly discloses that a butterfly valve 7 is installed in intake pipe 2, and Rivere describes at col. 4, lines 11-13, that means for controlling the fluid output in the form of a butterfly shutter are provided upstream of body 9. Thus, Rivere's intake pipe 2, cylindrical body 9 and butterfly valve 7 correspond to applicant's recited intake chamber with a throttle valve disposed therein. However, Rivere completely lacks any disclosure or suggestion of an air cleaner chamber that has a filter element disposed therein, or that intake pipe 2 and/or cylindrical body 9 projects into the outlet of the air cleaner chamber.

Coanda does not remedy the deficiencies of Rivere. Coanda discloses that a back or downstream portion 4 of a conduit 1 is attached by a flange 5 to a side of an inlet opening of a cylinder, and a "front or upstream end 2 of the conduit 1 is attached, by means of a flange 3, to an air filter (not shown)". Thus, even if conduit 1 is considered to correspond to applicant's recited intake passage, the disclosure that flange 3 at the terminating upstream end 2 of conduit 1 is attached to an unshown air filter, precludes any interpretation that upstream end 2 projects into an outlet of an air cleaner chamber, as is required by amended claim 1.

Takeda also does not remedy the deficiencies of Coanda. Coanda's intake duct 5 has a throttle butterfly valve 12 installed therein (FIG. 2) and corresponds to applicant's recited intake passage. However, as in Rivere and Coanda, there is no disclosure or suggestion in Takeda that intake duct 5 projects into an outlet of an

air cleaner chamber that has a filter element disposed therein, as is also required for any correspondence to claim 1.

Since Rivere, Coanda and Takeda do not disclose or suggest each and every feature of claim 1, claim 1 and claims 2-8, 10, 12-15 and 17-22 dependent thereon are not obvious over Rivere in view of Coanda and Takeda.

The ancillary references cited against the remaining dependent claims do not remedy the deficiencies of Rivere, Coanda and Takeda with respect to claim 1. Walker is cited against claims 23-27 for its relevance to a vehicle having a fuel supply apparatus. Marsee is cited against claims 9, 11, 25 and 27 for its relevance to an intake chamber having a plurality of outlets in correspondence with a plurality of rectifying walls. Bishop is cited against claim 16 for its relevance to a blow-by gas passage. None of Walker, Marsee or Bishop disclose or suggest an intake passage projecting into the outlet of an air cleaner chamber that has an air filter disposed therein, as is required by base claim 1.

For these reasons, the rejections of claims 1-27 under 35 USC 103 should be withdrawn.

New Claim 28

New claim 28 is added to better define the invention. In particular, the invention recited in claim 28 is substantially as allowed in JP2006-512246, which is the corresponding Japanese national phase application of PCT/JP04/17366 (i.e. in the same patent family as this U.S. application). The subject matter of claim 28 distinguishes over all references of record.

Conclusion

This application is now believed to be in condition for allowance. The Examiner is invited to contact the undersigned to resolve any issues that remain after consideration and entry of this amendment.

Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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